IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929

WP(C).No. 31067 of 2007(W)

PETITIONER:

M/S.PULIKOTTIL RESORTS (P) LTD.,
(DUKES FOREST LODGE), ANAPPARA, VITHURA,
TRIVANDRUM DISTRICT, A PRIVATE LIMITED COMPANY,
REPRESENTED BY ITS MANAGING DIRECTOR,
MRS.MARIA JACOB.

BY ADV. SRI.E.P.GOVINDAN
SRI.P.VISWAMBHARAN

RESPONDENTS:
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1. THE COMMERCIAL TAX OFFICER (LUXURY TAX), OFFICE OF THE DY.COMMISSIONER, COMMERCIAL TAXES, TRIVANDRUM P.O.

2. DY.COMMISSIONER (APPEALS), COMMERCIAL TAXES, TRIVANDRUM P.O.

3. INSPECTING ASST.COMMISSIONER, COMMERCIAL TAXES, NEYYATTINKARA, TRIVANDRUM.

4. STATE OF KERALA REPRESENTED BY SECRETARY, TAXES DEPARTMENT, GOVERNMENT SECRETARIAT, TRIVANDRUM PO.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 31067 OF 2007 W
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Dated this the 19th day of October, 2007

J U D G M E N T

Penalty has been imposed on the petitioner by Exts.P2 and P3, against which, appeal has been filed as per Exhibits P6 and P6(a) together with Exhibits P7 and P7(a) stay petitions. It is submitted that during its pendency, revenue recovery proceedings have been initiated by Exhibits P1 and P1(a) and hence this writ petition.

2. In view of the above position, I dispose of this writ petition directing that the 2nd respondent shall consider and pass orders on Exts. P7 and P7(a) stay petitions, as expeditiously as possible, at any rate within a period of three weeks of receipt of a copy of this judgment.

3. In the meanwhile, further proceedings pursuant to Exhibits P1 and P1(a) shall be kept in abeyance.

Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC, JUDGE.

Rp